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#### DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled "CARDIAC VALVE PROCEDURE METHODS AND DEVICES", the specification of which is filed herewith, and is identified by Attorney's Docket No. VIA-3.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby appoint Pandiscio & Pandiscio, a firm composed of Nicholas A. Pandiscio, Registration No. 17293, Mark J. Pandiscio, Registration No. 30883, Scott R. Foster, Registration No. 20570, and James A. Sheridan, Registration No. 43,114, or any of them, of

K-AIV

470 Totten Pond Road, Waltham, Massachusetts 02451-1914, (Telephone No. 781-290-0060), my attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith.

I hereby declare that all statements made herein of my cwn knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's signature:	Cores Coulous X
Inventor's full name:	Gregory H. Lambrecht
Date:	10/19/2000
Residence:	220 Eliot Street
	Natick, Massachusetts 01760
Post Office Address:	Same
Citizenship:	U.S.A.

VIA-3

Inventor's signature:

Inventor's full name: John Liddiçoat

Date:

Residence:

Barberry Farm, Barberry Road

Sewickley, Pennsylvania 15143

Post Office Address: Same

Citizenship:

U.S.A.

Inventor's signature: Kolent Kevin Moore

Inventor's full name: Robert Kevin Moore

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Date: 10-19-2000

Residence: 4 Rolling Lane

Natick, Massachusetts 01760

Post Office Address: Same

Citizanshin:

Citizenship: U.S.A.

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<pre>Inventor's signature:</pre>	Great Lew Mil
Inventor's full name:	
Date:	10/19/2000
Residence:	220 Eliot Street
	Natick, Massachusetts 01760
Post Office Address:	Same
Citizenship:	U.S.A.

· 0 V

Inventor's signature: Inventor's full name: John Liddicoat Date: Residence: Barberry Farm, Barberry Road Sewickley, Pennsylvania 15143 Post Office Address: Same Citizenship: U.S.A. Inventor's signature: Inventor's full name: Robert Kevin Moore Date: 10-19-2000 Residence: 4 Rolling Lane Natick, Massachusetts 01760 Post Office Address: Same Citizenship: U.S.A.

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VIA-3

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#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gregory H. Lambrecht et al.

For:

CARDIAC VALVE PROCEDURE METHODS AND

**DEVICES** 

Attorney's Docket No.:

VIA-3

Assistant Commissioner For Patents

Washington, D.C. 20231

#### VERIFIED STATEMENT CLAIMING SMALL BUSINESS ENTITY STATUS

The undersigned, Todd Davenport, hereby declares that he is Chairman, CEO, and President of VIACOR, Inc., a Delaware corporation having a principal place of business at 66-H Concord Street, Wilmington, Massachusetts 01887, and is empowered to act on behalf of said corporation in this matter; that said corporation qualifies as a small business concern as defined in 13 C.F.R. 121.3-18 for purposes of paying reduced fees under Title 35, United States Code, Sections 41(a) and (b), in that the number of employees of said corporation, including those of its affiliates, does not exceed 500 persons; and that on information and belief, exclusive rights under contract have been conveyed to and remain in said corporation with regard to the invention described and claimed in the above-identified U.S. patent application

For purposes of this statement, the number of employees of said corporation is the average over the previous fiscal year of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and concerns are affiliates of each other when either directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, Section 1001, and that such willful false statements may jeopardize the validity of the above-identified application, any patent issuing thereon, or any patent to which this verified statement is directed.

Date

Todd Davenport

VIACOR, Inc.

Chairman, CEO, and President

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FORM PTO-1595 (Rev. 6-93)

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U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Offici OMB No. 9651-0011 (exp. 4/94) PATENTS ONLY Tab settings □ □ □ ▼ To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof. 1. Name of conveying party(ies): 2. Name and address of receiving party(ies) VIACOR, Inc. Name: Gregory H. Lambrecht John Liddicoat Internal Address:\_\_\_ Robert Kevin Moore Additional name(s) of conveying party(ies) attached? 

Yes 

No 3. Nature of conveyance: Assignment Street Address: 66 H Concord Street □ Merger Security Agreement ☐ Change of Name City: Wilimington ZIP: 01887 State: MA ☐ Other \_\_\_\_\_ Execution Date: October 19 and October 23, 2000 Additional name(s) & address(es) attached? Q Yes Q No Application number(s) or patent number(s): If this document is being filed together with a new application, the execution date of the application is:  $\frac{10/19}{10/23}$ A. Patent Application No.(s) B. Patent No.(s) Additional numbers attached? 

Yes 

No 5. Name and address of party to whom correspondence 6. Total number of applications and patents involved: concerning document should be mailed: Pandiscio & Pandiscio 7. Total fee (37 CFR 3.41).....\$ Internal Address: James A. Sheridan XX Enclosed Authorized to be charged to deposit account (any deficiencies) Street Address: 470 Totten Pond Road 8. Deposit account number: 16-0221 Waltham ZIP: 02451 \_\_\_\_ State: MA (Attach duplicate copy of this page if paying by deposit account) DO NOT USE THIS SPACE 9. Statement and signature. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. November 09,2000 James A. Sheridan Name of Person Signing Total number of pages including cover sheet, attachments, and document:

#### ASSIGNMENT

۱	
	We, Gregory H. Lambrecht, John Liddicoat, and Robert Kevin Moore
ı	. residing respectively at 220 Flight Street
Ì	Natick, MA 01760, Barberry Farm, Barberry Road, Sewickley, PA 15143, and
l	4 Rolling Lane, Natick, MA 01760
١	having inverted improvements in CARDIAC VALVE PROCEDURE METHODS AND DEVICES
İ	and having this day executed an application for United States patent describing
۱	the same and based thereon (and we hereby authorize our attorney(s), authorized
ŀ	to prosecute said application, to here insert the filing date and serial number
l	of said application, when known, Serial No. Filed
ļ	for good and valuable consideration, receipt of which is hereby acknowledged
ļ	from VIACOR, Inc. a Delaware
I	corporation having its principal place of business in
ļ	Wilmington, MA hereinefter called the Accience
I	(which term shall include its successors and assigns) do hereby sell, assign
ĺ	and transfer unto the Assignee our entire right, title, and interest, in and
İ	throughout the United States of America (including its territories and depend-
I	encies) and all countries foreign thereto, in and to and under said application
ļ	which term shall include hereinafter where the context so admits all division-
l	al, continuing, reissue and other patent applications based thereon) and the
I	inventions (which term shall include each and every such invention, or any part
i	thereof) therein described, and any and all patents and like rights of exclu-
I	sion (including extensions thereof) of any country which may be granted on or
l	for said inventions or on said application.
ĺ	And for the contract of the co
١	And for the same consideration we do also hereby sell, assign and transfer unto
l	the Assignee all our rights under the International Convention for the Duck

And for the same consideration we do also hereby sell, assign and transfer unto the Assignee all our rights under the International Convention for the Protection of Industrial Property and all other treaties of like purpose in respect of said inventions and said application and we do hereby authorize the Assignee to apply in our names or its own name for patents and like rights of exclusion on or for said inventions in all countries, claiming (if the Assignee so desires) the priority of the filing date of said application under the provisions of said Convention or any such other treaty;

And for the same consideration we do hereby jointly and severally agree for ourselves and for our respective heirs, executors and administrators, promptly upon request of the Assignee, to execute and deliver without further compensation any power of attorney, assignment, original, divisional, continuing, reissue or other application or applications for patent or patents or like rights of exclusion of any country, or other lawful documents and any further assurances that may be deemed necessary or desirable by the Assignee fully to secure to it said right, title, and interest as aforesaid in and to said inventions, application, and said several patents and like rights of exclusion, or any of them, all, however, at the expense of the Assignee;

And we do hereby authorize and request the Commissioner of Patents of the United States of America and the corresponding Officer of each country foreign thereto to issue to the Assignee any and all patents and like rights of exclusion which may be granted in any country upon said application or on or for said inventions;

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- 1 -

#### ASSIGNMENT

diedoly in Lambrecht, John Liddicoat, and Robert Kevin Moore
, residing respectively at 220 Eliot Street,
Natick, MA 01760, Barberry Farm, Barberry Road, Sewickley, PA 15143, and
4 Rolling Lane, Natick, MA 01760
having invented improvements in CARDIAC VALVE PROCEDURE METHODS AND DEVICES
and having this day executed an application for United States patent describing
the same and based thereon (and we hereby authorize our attorney(s), authorized
to prosecute said application, to here insert the filing date and serial number
of said application, when known, Serial No Filed ).
for good and valuable consideration, receipt of which is hereby acknowledged
from VIACOR, Inc. a Delaware
corporation having its principal place of business in
Wilmington, MA hereinafter called the Assignee
(which term shall include its successors and assigns) do hereby sell, assign
(which term shall include its successors and assigns) do hereby sell, assign and transfer unto the Assignee our entire right, title, and interest, in and
(which term shall include its successors and assigns) do hereby sell, assign and transfer unto the Assignee our entire right, title, and interest, in and throughout the United States of America (including its territories and depend-
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(which term shall include its successors and assigns) do hereby sell, assign and transfer unto the Assignee our entire right, title, and interest, in and throughout the United States of America (including its territories and dependencies) and all countries foreign thereto, in and to and under said application (which term shall include hereinafter where the context so admits all divisional, continuing, reissue and other patent applications based thereon) and the inventions (which term shall include each and every such invention, or any part

And for the same consideration we do also hereby sell, assign and transfer unto the Assignee all our rights under the International Convention for the Protection of Industrial Property and all other treaties of like purpose in respect of said inventions and said application and we do hereby authorize the Assignee to apply in our names or its own name for patents and like rights of exclusion on or for said inventions in all countries, claiming (if the Assignee so desires) the priority of the filing date of said application under the provisions of said Convention or any such other treaty;

And for the same consideration we do hereby jointly and severally agree for ourselves and for our respective heirs, executors and administrators, promptly upon request of the Assignee, to execute and deliver without further compensation any power of attorney, assignment, original, divisional, continuing, reissue or other application or applications for patent or patents or like rights of exclusion of any country, or other lawful documents and any further assurances that may be deemed necessary or desirable by the Assignee fully to secure to it said right, title, and interest as aforesaid in and to said inventions, application, and said several patents and like rights of exclusion, or any of them, all, however, at the expense of the Assignee;

And we do hereby authorize and request the Commissioner of Patents of the United States of America and the corresponding Officer of each country foreign thereto to issue to the Assignee any and all patents and like rights of exclusion which may be granted in any country upon said application or on or for said inventions;

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- 1 -

y.

And we do hereby jointly and severally covenant for ourselves and for our respective legal representatives and agree with the Assignee that we have granted no right or license to make, use or sell said inventions to anyone except the Assignee, that prior to the execution of this deed our right, title and interest in and to said inventions has not been otherwise encumbered by us, and that we have not executed and will not execute any instrument in conflict herewith.

ment in conflict herewith.	Recuted and will not execute any institu-
IN WITNESS WHEREOF, we hereunto set hereinafter noted.	our hands and seals on the day and year
	10/19/2000
	Gregory H. Lambrecht
	John Liddicoat
	Robert Kevin Moore 10-19-2000
State of Massachnietto ss.	
Before me this 19th	day of October, ory H. Lambrecht, who is to me
172000 , personally appeared Grego	ory H. Lambrecht , who is to me
act and deed.	the foregoing instrument to be his free
SEAL	Mary melmin
	NOTARY PUBLIC
	Muy motary public My womission expires April 17,2003.
State of ss.	
County of	
Before me this	day of,
192000, personally appeared John	Liddicoat, who is to me
personally known, and acknowledged act and deed.	the foregoing instrument to be his free
SEAL	·
,	NOTARY PUBLIC
State of Mussichnicth )	•
State of Massachusetts  County of Middless ss.	
	day of October
k\$2000 personally appeared Robe	day of Uctoler  rt Kevin Moore, who is to me
personally known, and acknowledged act and deed.	the foregoing instrument to be his free
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SEAL	Mandan
SEAL	Mymandy Public
SEAL	My commission experts April 17,2003.

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IN WITNESS WHEREOF, we hereunto set our hands and seals on the day and year hereinafter noted.

State of Massachusetts   20   20   20   20   20   20   20   2		July London J. 10/19/2000
Robert Kevin Moore  State of Massachusetts  SEAL  Robert Kevin Moore  Seal  Robert Kevin Moore  Robert Kev		Gregory A. Lambrecht. 10/2/00
State of Massachusetts   Seal		
SEAL    Many matter	County of Middless ss.	
SEAL    Many matter	Before me this 19th	day of October.
State of Massarkunth Ss.  Before me this 3Md day of October who is to me personally known, and acknowledged the foregoing instrument to be his free act and deed.  State of Massarkunth Ss.  Before me this 19m Momber, Penagraph of Notaries Apr. 22, 2003  Momber, Penagraph of Notaries Apr. 22,		the foregoing instrument to be his free
State of Massackusto ss.  Before me this Asial day of Actabase who is to me personally known, and acknowledged the foregoing instrument to be his free act and deed.  SEAL NOTARY PUBLIC  Notarial Seal Marlene Marree, Notary Public Pittsburgh, Allegheny County of Middell ss.  Before me this Momber, Penasyers Apr. 22, 2003  Momber,		Manylombini
State of Massackusto ss.  Before me this Asial day of Actabase who is to me personally known, and acknowledged the foregoing instrument to be his free act and deed.  SEAL NOTARY PUBLIC  Notarial Seal Marlene Marree, Notary Public Pittsburgh, Allegheny County of Middell ss.  Before me this Momber, Penasyers Apr. 22, 2003  Momber,		NOTARY PUBLIC
State of Massackusto ss.  Before me this Asial day of Actabase who is to me personally known, and acknowledged the foregoing instrument to be his free act and deed.  SEAL NOTARY PUBLIC  Notarial Seal Marlene Marree, Notary Public Pittsburgh, Allegheny County of Middell ss.  Before me this Momber, Penasyers Apr. 22, 2003  Momber,		my commission expires April 17,2003.
state of Massarium	County of elle the comment ss.	
SEAL  State of Massarium Seal  State of Massarium Seal  State of Massarium Seal  State of Massarium Seal  State of Massarium Seal  Marlene Marree, Notary Public  Pittsburgh, Allegheny County  My Commission Expires Apr. 22, 2003  Momber, Penasyrum of Notaries  day of Cityle  Ky 2000, personally appeared Robert Kevin Moore, who is to me personally known, and acknowledged the foregoing instrument to be his free act and deed.	Before me this 23/44	day of Clarker.
NOTARY PUBLIC  Notarial Seal Marlene Marree, Notary Public Pittsburgh, Allegheny County My Commission Express Apr. 22, 2003  Member, Penagaran Notaries day of Other Rescondly known, and acknowledged the foregoing instrument to be his free act and deed.	personally known, and acknowledged	Liddicoat . who is to me
State of Massimulti ss.  Marlene Marree, Notary Public Pittsburgh, Allegheny County My Commission Expires Apr. 22, 2003  Momber, Penaginal April Notaries day of October Moore who is to me personally known, and acknowledged the foregoing instrument to be his free act and deed.	SEAL	Marlen Stavell
State of Massimulti ss.  Marlene Marree, Notary Public Pittsburgh, Allegheny County My Commission Expires Apr. 22, 2003  Momber, Penaginal April Notaries day of October Moore who is to me personally known, and acknowledged the foregoing instrument to be his free act and deed.		NOTARY PUBLIC
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192000, personally appeared Robert Kevin Moore, who is to me personally known, and acknowledged the foregoing instrument to be his free act and deed.		Member, Pennsylvania, Augustin of Notaries
SEAL Myndandini	personally known, and acknowledged	ert Kevin Moore . who is to me
	SEAL	Mandani

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My commission experts April 17,2003.